

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION**

UNITED STATES OF AMERICA

VERSUS

CRIMINAL ACTION NO. 1:08CR119-P-D

JAVAN LAMECK SHUMPERT

ORDER

This cause is before the Court on defendant Shumpert's Motion for Continuance [34]. The Court, having reviewed the motion and being otherwise fully advised in the premises, finds as follows, to-wit:

The trial of this matter is currently set for February 23, 2009. Counsel for defendant seeks a continuance in order to complete additional investigation and to consult more fully with his client with regard to the discovery provided by the prosecution. The government does not object to the requested continuance. Based on the foregoing, the Court finds that the defendant's motion is well-taken and should be granted.

The above circumstances enable the Court to exclude, pursuant to 18 U.S.C. § 3161(h)(7)(A), the period of delay from February 23, 2009 until the new trial date to be set in this matter. The time is excludable under subsection (h)(7)(A) because, given the circumstances described above, a continuance is necessary to afford defendant additional time to investigate and prepare his defense to the charges at issue. Therefore, the ends of justice served by the granting of this continuance outweigh the best interests of the public and the defendants in a speedy trial.

IT IS, THEREFORE, ORDERED AND ADJUDGED that

1. Defendant Shumpert's Motion for Continuance [34] is GRANTED;
2. That the trial of this matter is continued until Monday, April 13, 2009 at 9:00 a.m.
in the United States District Courthouse in Greenville, Mississippi;
3. That the delay from February 23, 2009 until April 13, 2009 is excluded as set out
above;
4. That the deadline for filing pretrial motions is March 23, 2009;
5. That the deadline for submitting a plea agreement is March 30, 2009.

SO ORDERED, this the 27th day of January, 2009.

/s/ W. Allen Pepper, Jr.
W. ALLEN PEPPER, JR.
UNITED STATES DISTRICT JUDGE